

03500.017652



PATENT APPLICATION

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TAKASHI KENMOKU ET AL.) Examiner: Not Yet Assigned
Application No.:10/531,572) Group Art Unit: 1761
Int'l Application No. PCT/JP03/13530)
Filed: October 23, 2003)
For: NEW)
POLYHYDROXYALKANOATE)
COMPRISING UNIT HAVING)
(PHENYLMETHYL)OXY)
STRUCTURE ON SIDE CHAIN)
THEREOF, AND METHOD FOR)
PRODUCING THE SAME) May 10, 2006

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Since the U.S. Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications and for all international applications that have entered the national stage under 35 U.S.C. § 371, no copies of such documents are enclosed.

Copies of the other listed documents are enclosed.

The Examiner's attention is also directed to the following U.S. Applications:

<u>APPLICATION NO.</u>	<u>FILING DATE</u>	<u>GROUP ART UNIT</u>
10/531,689	October 23, 2003	1651
10/553,221	April 30, 2004	N.Y.A.
10/544,942	May 6, 2004	1645
10/574,001	June 9, 2005	N.Y.A.
10/567,762	June 9, 2005	N.Y.A.

Since these applications are stored in the U.S. Patent and Trademark Office's IFW system, copies thereof are not enclosed due to a *sua sponte* waiver of 37 C.F.R. § 1.98(a)(2)(iii).

The concise explanation of relevance for the non-English document may be found, *inter alia*, in the English language abstract attached thereto and/or in the specification where it is cited.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



 Jason M. Okun
 Attorney for Applicants
 Registration No.: 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
 30 Rockefeller Plaza
 New York, New York 10112-3801
 Facsimile: (212) 218-2200



ATTY DOCKET NO.

03500.017652

APPLICATION NO.

10/531,572

APPLICANT

Takashi Kenmoku et al.

FILING DATE

October 23, 2003

GROUP

1761

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,586,562 B2	07/01/03	Honma et al.	528	361	
		6,521,429 B2	02/18/03	Honma et al.	435	135	
		6,635,782 B2	10/21/03	Honma et al.	560	53	
		6,645,743 B1	11/11/03	Honma et al.	435	146	
		2003/0180899 A1	09/25/03	Honma et al.	435	135	
		2004/0092702 A1	05/13/04	Honma et al.	528	272	
		2003/0194789 A1	10/16/03	Honma et al.	435	135	
		6,649,380 B1	11/18/03	Yano et al.	435	135	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	WO	2004/044213 A1	05/27/04	International			
	WO	2004/037889 A1	05/06/04	International			
	WO	2004/096188 A1	11/11/04	International			
	WO	2004/097417 A1	11/11/04	International			
	WO	2005/121204 A2	12/22/05	International			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

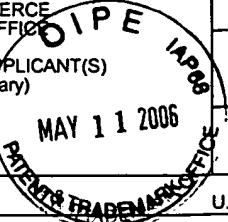
	Y.B. Kim et al., "Preparation and Characterization of Poly(β -Hydroxyalkanoates) Obtained from <i>Pseudomonas oleovorans</i> with Mixtures of 5-Phenylvaleric Acid and <i>n</i> -Alkanoic Acids," 24 <i>Macromol.</i> 5256-60 (1991).
	M.Y. Lee et al., "Hydrophilic Bacterial Polyesters Modified with Pendant Hydroxyl Groups," 41 <i>Polymer</i> 1703-09 (2000).
	Helmut Ritter et al., "Bacterial Production of Polyesters Bearing Phenoxy Groups in the Side Chains, 1 Poly(3-Hydroxy-5-Phenoxypentanoate-co-3-Hydroxy-9-Phenoxy-Nonanoate) from <i>Pseudomonas oleovorans</i> ," 195 <i>Macromol. Chem. Phys.</i> 1665-72 (1994).
	Joanne M. Curley et al., "Production of Poly(3-hydroxyalkanoates) Containing Aromatic Substituents by <i>Pseudomonas oleovorans</i> ," 29 <i>Macromol.</i> 1762-66 (1996).

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 2

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			ATTY DOCKET NO. 03500.017652	APPLICATION NO. 10/531,572			
			APPLICANT Takashi Kenmoku et al.				
			FILING DATE October 23, 2003	GROUP 1761			
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,649,381 B1	11/18/03	Honma et al.	435	135	
		2004/0067576 A1	04/08/04	Honma et al.	435	252.34	
		6,911,521 B2	06/28/05	Kenmoku et al.	528	295	
		2003/0207412 A1	11/06/03	Kenmoku et al.	435	135	
		2005/0143574 A1	06/30/05	Minami et al.	536	126	
		6,492,147 B2	12/10/02	Imamura et al.	435	135	
		6,872,788 B2	03/29/05	Imamura et al.	525	440	
		2005/0196521 A1	09/08/05	Kozaki et al.	427	2.24	
		2003/0113368 A1	09/16/03	Nomoto et al.	424	450	
		2006/0079662 A1	04/13/06	Fukui et al.	528	272	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	WO	2005/121206 A2	12/22/05	International			
	JP	2989175 B1	10/08/99	Japan			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Marieta Constantin et al., "Chemical Modification of Poly(hydroxyalkanoates). Copolymers Bearing Pendant Sugars," 20 Macromol. Rapid Commun. 91-94 (1999).					
		Won Ho Park et al., "Epoxidation of Bacterial Polyesters with Unsaturated Side Chains. I. Production and Epoxidation of Polyesters from 10-Undecanoic Acid," 31 Macromol. 1480-86 (1998).					
		G.J.M. de Koning et al., "A Biodegradable Rubber by Crosslinking Poly(hydroxyalkanoate) from Pseudomonas oleovorans , " 35 (10) Polymer 2090-97 (1994).					
		Young B. Kim et al., "Poly(β-hydroxyalkanoate) Copolymers Containing Brominated Repeating Units Produced by Pseudomonas oleovorans," 25 Macromol. 1852-57 (1992).					
		Katharina Fritzsche et al., "An Unusual Bacterial Polyester with a Phenyl Pendant Group," 191 Macromol. Chem. 1957-65 (1990).					
EXAMINER			DATE CONSIDERED				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 2